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CONTROL: 8609
RECD: AUGUST 9, 1960
2:36 P.M.

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY Dan Izenberg DATE 10/6/81
PORTIONS DENIED AS INDICATED

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1. MEMBER OF CENTRAL ELECTION REVIEW COUNCIL PROVIDED ACCOUNT OF COUNCIL PROCEEDINGS AND COPIES OF REVIEW FORMS ON EACH CASE BEFORE COUNCIL. CENTRAL COUNCIL COMPLETED ITS WORK LATE AUGUST 8 AND APPARENTLY WILL NOT MEET AGAIN. HOWEVER, IT HAS LEFT BEHIND IT AT LEAST ONE AND POSSIBLE MORE CONTROVERSIAL DECISIONS WHICH MAY PROVE SOMEWHAT EMBARRASSING. COUNCIL APPEARS TO HAVE BEEN SCRUPULOUSLY HONEST AND PAINS-TAKING IN ITS CONSIDERATIONS. THERE IS NO EVIDENCE OF GVN INTERFERENCE OR OF COUNCIL ADJUSTING ITS DECISION TO WHAT GVN MIGHT HAVE DESIRED.

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2. CENTRAL COUNCIL HAD BEFORE IT TOTAL OF 42 DOSSIERS, 23 FORWARDED BY LOCAL ELECTION SCREENING BOARDS, 18 CHALLENGES BY INDIVIDUAL CANDIDATES AND 1 UNUSUAL CASE IN WHICH CHALLENGE PRESENTED BY SOMEONE WHO WAS NOT CANDIDATE. OF 23 APPEALS FROM LOCAL ELECTORAL COUNCILS, CENTRAL COUNCIL FOLLOWED JUDGMENT OF LOCAL COUNCIL IN 11 CASES, REJECTING DOSSIER OF CANDIDATE: CENTRAL COUNCIL OVERTURNED RULING OF LOCAL COUNCIL IN OTHER 12 CASES, DECLARING CANDIDATES ELIGIBLE TO RUN. OF 18 CHALLENGES BY INDIVIDUAL CANDIDATES, 6 WERE ACCEPTED AND PERSON CHALLENGED WAS RULED INELIGIBLE: ONE OF CANDIDATES IN QUESTION WITHDREW VOLUNTARILY: AND 11 CHALLENGES WERE REJECTED, WITH PERSON CHALLENGED ALLOWED TO CONTINUE HIS CANDIDACY. UNUSUAL CASE OF CHALLENGE BY NON-CANDIDATE WAS NOT EXAMINED BY CENTRAL COUNCIL ON GROUNDS THAT VOTER NOT EMPOWERED TO FILE COMPLAINT.

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3. OF VARIOUS CATEGORIES OF CASES EXAMINED, CENTRAL COUNCIL REJECTED CANDIDACIES OF 3 MILITARY AND ACCEPTED 3; REJECTED CANDIDACIES 2 CIVIL SERVANTS AND ACCEPTED 2. OF SEVEN CASES QUESTIONED FOR ALLEGED NOT HAVING FULFILLED OBLIGATIONS OF MILITARY SERVICE (DRAFT), FIVE WERE ACCEPTED AS CANDIDATES AND TWO REJECTED. OF TWELVE CASES IN WHICH THERE WERE CHARGES OF POLITICAL UNSUITABILITY, SIX CANDIDATES WERE REJECTED AND SIX WERE ACCEPTED.

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4. FOLLOWING IS SUMMARY OF CASES DEALT WITH BY CENTRAL ELECTORAL COUNCIL IN WHICH POLITICAL BELIEFS OR ACTIVIES OF CANDIDATES WERE INVOLVED:

A. SAIGON CONSTITUENCY 1:

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B. HUE: ARVN CAPTAIN NGUYEN DAI BANG, EXCLUDED BY MUNICIPAL ELECTORAL COUNCIL FOR ALLEGED INVOLVEMENT IN NATIONAL SALVATION COUNCIL IN 1964, WAS PERMITTED TO RUN IN ABSENCE OF ANY MORE SERIOUS EVIDENCE AGAINST HIM.

C. DANANG: CANDIDATE NGUYEN HUU KIEM PROTESTED EXCLUSION BY MUNICIPAL ELECTORAL COUNCIL ON GROUND OF DISMISSAL FROM CIVI[L] DWID DISMISSAL WAS BY DIEM REGIME FOR POLITICAL RATHER THAN DISCIPLINARY REASONS. POLICE RECORDS WERE NOT CLEAR ON THE [M] COUNCIL ACCEPTED KIEM'S COMPLAINT AND REINSTATED HIS CANDID[ACY]

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D. QUANG NOM: COMPLAINT [ ] THAT FELLOW CANDIDATE NGUYEN XUAN DIEU IS PRO-COMMUNIST WAS REJECTED BY CENTRAL COUNCIL AND DIEU'S CANDID[ACY] [A]LLOWED TO STAND.

E. DALAT: CANDIDAT[E] [T]INH DIEN PROTESTED EXCLUSION ON GROUND OF PRO-COMMU[NISM] AND NEUTRALISM AND ASKED THAT MUNICIPAL ELECTORAL COUNCIL BE REQUIRED TO PRESENT EVIDENCE AGAINST HIM.

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CENTRAL COUNCIL (BY VOTE OF 4-2, WITH 3 ABSTENTIONS) DECIED NATIONAL POLICE EVIDENCE OF DIEN'S CONTACT WITH COMMUNISTS WAS SUFFICIENT GROUND FOR DISQUALIFICATION.

F. DALAT: CANDIDACY OF HOANG TRI, APPROVED BY MUNICIPAL ELECTORAL COUNCIL, WAS THEN PROTESTED BY MUNICIPAL ADMINISTRATION ON GROUND TRI SUSPECTED OF VC ACTIVITY. TRI COMPLAINED; HIS SECURITY DOSSIER WAS REINVESTIGATED AND HE WAS CLEARED OF ACCUSATION. CENTRAL COUNCIL REJECTED MUNICIPAL PROTEST AND ALLOWED CANDIDACY TO STAND.

G. PHY YEN: CANDIDATES CAO VAN CHIEU AND PHAM NGOC DU PROTESTED EXCLUSION, WHICH WAS ON GROUND THAT CHIEU'S BROTHER IS HIGH-RANKING OFFICER IN NORTH VIET-NAM AND DU'S BROTHER A VC WHO REGROUPED TO NORTH AND HIS NIECE NOWEITH VIET CONG. PROTEST WAS REJECTED, MAINLY BECAUSE OF DU'S CONTINUING CONTACTS WITH COMMUNISTS.

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H. AN GIANG: LIST HEADED BY NGUYEN VAN HOANH PROTESTED ITS EXCLUSION ON GROUND THAT MEMBER LE VAN TO HAD ORGANIZED MEETING OF "FRONT FOR PEACEFUL COEXISTENCE" IN 1956 AND OTHER CHARGES; HOANH SAID EVIDENCE WAS VAGUE AND UNSUBSTANTIATED AND IN ANY CASE DID NOT LINK TO DIRECTLY OR INDIRECTLY WITH COMMUNISM OR NEUTRALISM. CENTRAL COUNCIL ACCEPTED THIS PROTEST AND REINSTATED THE LIST: VOTE VARIOUSLY REPORTED AS 3 TO 2 WITH FOUR ABSTENTIONS AND FIVE TO THREE WITH ONE ABSTENTION.

I. AN XUYEN: CANDIDATE NGO THANH CANH PROTESTED EXCLUSION. DENYING PRO-COMMUNIST ACTIVITY.

CENTRAL COUNCIL VOTED UNANIMOUSLY TO REJECT HIS PROTEST AND CANDIDACY.

J. GO CONG: CANDIDATE TUONG BA THANH PROTESTED HIS EXCLUSION, DENYING ANY DISQUALIFICATION UNDER ARTICLE 10 OF ELECTORAL LAW.

CENTRAL COUNCIL REJECTED HIS PROTEST AND CANDIDACY. LODGE
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K. BAC LIEU: CANDIDATE NGUYEN THANH LONG PROTESTED EXCLUSION, WHICH WAS ON GROUND OF "FREQUENT LIAISON" WITH VC. THERE WERE NO DOCUMENTS TO SUPPORT THIS ALLEGATION, SO CENTRAL COUNCIL ACCEPTED PROTEST AND REINSTATED CANDIDACY.

L. VINH LONG: LIST HEADED BY SAIGON CITY COUNCILLOR AND EDITOR OF CURRENTLY-SUSPENDED NEWSPAPER TIEN HO NGOC CU, WHICH HAD BEEN CANDIDATE NGUYEN VAN VI (A HOA HAO) ON GROUND THAT CU'S BROTHER IS NVN COMMERICIAL ATTACHE IN EAST GERMANY (AND ALSO LESSER ALLEGATIONS AGAINST OTHER CANDIDATES). CENTRAL COUNCIL HEARD EVIDENCE THAT CU IMPRISONED FOR 30 MONTHS FOR DISTURBING

PUBLIC ORDER (ACTUALLY, FOR GIVING FINANCIAL SUPPORT TO VC); VISITED HIS BROTHER IN VC IN 1954; AND ATTENDED VC-SPONSORED WEAPONS EXHIBIT IN 1964. COUNCIL VOTED TO ACCEPT PROTEST AND ELIMINATE THIS LIST. MEMBER OF CONGRESS OF PEOPLE AND ARMY AND OF CENTRAL ELECTORAL COUNCIL, REPORTEDLY ARGUED VEHEMENTLY FOR EXCLUSION OF CU. MOTIVIATION SEEMS TO BE HAO HAO RIVALRY, BUT FACT REMAINS THAT THERE IS EVIDENCE AGAINST CU

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5. CASE OF CU ALREADY AROUSED CONTROVERSY. CU EMOTIONALLY TOLD "IF I, A MEMBER OF SAIGON CITY COUNCIL, AM A COMMUNIST, THEN ARRREST ME AND SHOOT ME! IS THIS DEMOCRACY?" NEWSPAPER QUYET TIEN HAS PUBLISHED EDITORIAL PROTESTING DECISION

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AND CALLING FOR INVESTIGATION BY KY HIMSELF "TO ISPEL ALL POSSIBLE CONFUSION." SIMILARLY, SAIGON CITY COUNCIL PASSED RESOLUTION AT MEETING AUGUST 8 REQUESTING RECONSIDERATION BY CENTRAL COUNCIL AND DIRECTORY. (A-71, BEING POUCHED, DISCUSSES CU'S CASE IN GREATER DETAIL.)

6. IT IS POSSIBLE THAT CASE OF [ ] AND ONE OR TWO OTHERS MAY ALSO CREATE CONTROVERSY.

b-1 D 7. [ ] WHO IS CRITICAL OF GVN AND IS TAKING NO PART IN ELECTION, NEVERTHELESS TOLD EMBOFF HE BELIEVES CENTRAL ELECTORAL COUNCIL DID A FAIR AND REASONABLE JOB AND THAT EXCLUSIONOF HIS CLOSE FRIEND CU MERELY "UNFORTUNATE."

8. WE ARE PREPARING AIRGRAM ON FIELL OF CANDIDATES WHICH WILL INCLUDE DISCUSSION OF THESE CASES.
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